

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant : James R. WASON

Group Art Unit: 2176

Appln. No. : 10/606,547

Examiner: Maikhanh Nguyen

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Confirmation No.:5225

For : RICH TEXT HANDLING FOR A WEB APPLICATION

REPLY BRIEF UNDER 37 C.F.R. 41.41(a)(1)

Commissioner for Patents
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Randolph Building
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Sir:

This Reply Brief is in response to the Examiner's Answer dated April 11, 2008, the period for reply extending until May 21, 2008¹.

The Examiner maintains the grounds of rejection advanced in the final rejection of claims 1 – 15, 19 – 35 and 43 – 50 as set forth in the Final Office Action dated September 15, 2006, and provides arguments in support thereof.

Appellant notes this Reply Brief is being filed under 37 C.F.R. 41.41(a)(1) and is directed to the arguments presented in the Examiner's Answer, and therefore must be entered unless the final rejection is withdrawn in response to the instant Reply Brief. With regard to this Reply Brief, Appellant notes it is addressing points made in the Examiner's Answer and not repeating the arguments set forth in the Appeal Brief.

¹ Appellant notes that the initial Examiner's Answer is dated March 21, 2008. However, the Examiner issued a Supplemental Examiner's Answer dated April 11, 2008, in which the Examiner corrected the Evidence Relied Upon. After a telephone call to the Examiner, she indicated that the Supplemental Examiner's Answer would not restart the time period for reply of the initial Examiner's Answer.

POINTS OF ARGUMENT

First Issue

In the Examiner's Answer, the Examiner cites new passages of U.S. Patent No. 6,470,364 issued to Prinzing ("Prinzing '364") in supporting her contention that it would have been obvious to one of ordinary skill in the art to combine Prinzing '364 with U.S. Patent No. 6,480,206 issued to Prinzing ("Prinzing '206") to arrive at the instant invention. Appellant submits that these passages of Prinzing '364 do not teach or suggest that the Prinzing '364 system is a Web-based application or browser.

Specifically, in the Examiner's Answer, the Examiner additionally cites column 1, line 55 – column 2, line 10 and column 9, line 61 – column 10, line 1. Appellant has reproduced these passages below. Specifically, Prinzing '364 discloses at column 1, line 55 – column 2, line 10:

For example, a Hypertext Markup Language Document (HTML) has metadata called "tags" which provides a logical and structural relationship between text elements in a document. The following example of HTML uses tags to create a logical structure within the document.

The angle brackets (i.e. "<", ">") are used in HTML to indicate a tag. The structural and logical relationship between data elements can be defined using these HTML tags. Tags can also be used to describe more information about the data elements. For example, the HTML tag above indicates that the document is an HTML type document. The INPUT tag indicates that the text between the brackets defines a data element used for inputting values. Other attributes associated with the INPUT element such as TYPE, NAME, and VALUE further describe specific characteristics of the input element. For example, TYPE=text indicates that input element is of type text.

Additionally, Prinzing '364 discloses at column 9, line 61 – column 10, line 1:

Editor Kit 610 sets text based properties for each instance of Editor Pane 516. For example, Editor Kit 610 determines the type of text and generates a collection of methods represented by Create Model method 612 to process the text. For example, an HTML document may be stored in a hierarchical relationship with a root element at the top the tree and hypertext links to other documents as leaves of the tree. Alternatively, if

the document is a plain-text document without hypertext links the text may be stored as a sequence of character elements.

As discussed in the Appeal Brief, Appellant submits that Prinzing '364 does not teach or suggest "providing one or more classes for use by the applications to at least create and manage one or more rich text nodes . . ." where the applications are "Web based applications and browsers." Rather, Appellant submits that Prinzing '364 discloses a GUI editor application that generates a text component corresponding to a selectable user interface style (e.g., Windows user interface style, MacIntosh user interface style, or Motif user interface style) and the type of content associated with the text component (e.g., Java, RTF, or HTML). Further, Prinzing '364 discloses the use of editor kits, which are dependent upon the type of content associated with the text component (e.g., Java editor kit, RTF editor kit, or HTML editor kit).

Addressing the above-cited passages of Prinzing '364, Appellant submits that column 1, line 55 – column 2, line 10 discusses Hypertext Markup Language Document (HTML) and metadata called "tags," which provide a logical and structural relationship between text elements in a document. That is, this passage is merely describing HTML language, which may be edited by the Prinzing '364 GUI application.

As discussed in the Appeal Brief, Appellant submits that the Prinzing '364 GUI application may delegate implementation of the user interface style within the text component to a text user interface object and delegate implementation of a text editor within the text component to an editor kit object. The editor kit object generates the text editor for the text component customized according to the type of text being edited (which may be HTML text). The text user interface object then displays the text component and the text editor with the selected user interface style.

However, Appellant submits that the that column 1, line 55 – column 2, line 10 of Prinzing ‘364 does not teach or suggest that the GUI application is a Web-based or browser application. Rather, Appellant submits that Prinzing ‘364 discloses a GUI application for editing various types of text, including HTML text. Moreover, Appellant submits that the Prinzing ‘364 GUI application’s ability to edit HTML text does not render the GUI application a Web-based or browser application, as the Examiner asserts. That is, by merely listing such types of text that the GUI application can edit, including Java source code and HTML source code, Appellant submits Prinzing ‘364 does not teach or suggest the feature “providing one or more classes for use by the applications to at least create and manage one or more rich text nodes . . .” where the applications are “Web based applications and browsers.”

Additionally, Appellant submits that column 9, line 61 – column 10, line 1 does not teach or suggest the feature “providing one or more classes for use by the applications to at least create and manage one or more rich text nodes . . .” where the applications are “Web based applications and browsers.” Appellant submits that this passage of Prinzing ‘364 discusses editor kits, which the GUI application may use to edit types of text (e.g., Java source code and HTML source code). However, Appellant submits that Prinzing ‘364’s disclosure that editor kits may be used to edit HTML language does not render Prinzing ‘364 a Web-based application or browser.

Additionally, although Prinzing ‘364 does teach that “a new editor kit can be downloaded from a server on the Internet,” this passage does not teach that the new editor kit or the GUI application itself is a Web based application or browser. In fact, Prinzing ‘364 teaches that the new editor kit can be “downloaded” and “installed”, suggesting that the new editor kit and the GUI application are not, in fact, a Web based application or browser, but rather, resident and functioning on the user’s computer, and not through the Internet. In other words, Appellant

submits that the Prinzing '364 discloses an application that is not a Web based application or browser, as it is merely a GUI editor application resident on a stand-alone computer in a non-Web based or non-browser environment.

Thus, Appellant submits that neither of the newly cited passages of Prinzing '364 teach or suggest the feature "providing one or more classes for use by the applications to at least create and manage one or more rich text nodes . . ." where the applications are "Web based applications and browsers."

Second Issue

In the Examiner's Answer, the Examiner presents a new statement of motivation in supporting her contention that it would have been obvious to one of ordinary skill in the art to combine Prinzing '364 with Prinzing '206 to arrive at the instant invention with regard to claims 8 – 15 and 29 – 31. Specifically, the Examiner states:

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Prinzing '206 with Prinzing '364 because it would have provided the capability for customizing text components that edit a particular type of text and would have a particular type of user interface style as well as viewing and interacting with various type [sic] of Internet resources available on the World Wide Web.

However, Appellant submits that, assuming *arguendo* that it would have been obvious to combine the two Prinzing references, which Appellant does not concede, such a combination does not teach or suggest all of the features of the independent claim. For example, the combination of references does not teach or suggest a Web based application or browser, in combination with the remaining features of the respective independent claim. That is, even if it would have been obvious to a person of ordinary skill in the art at the time the invention was

made to modify Prinzing '206 with Prinzing '364 because it would have provided the capability for viewing and interacting with various types of Internet resources available on the World Wide Web, as the Examiner asserts (which Appellant does not concede), the combination of references does not teach or suggest "providing one or more classes for use by the applications to at least create and manage one or more rich text nodes . . ." where the applications are "Web based applications and browsers." In other words, even though Prinzing '364 discusses Internet resources available on the World Wide Web that may be download in order for the Prinzing '364 device to operate, this teaching would not teach or suggest to one of skill in the art that the GUI application of Prinzing '364 could be modified such that it is a Web-based application or browser. Additionally, even though the Prinzing '364 GUI application edits programming language (i.e., HTML language) that may be subsequently used in a browser, Appellant submits that this does not teach or suggest that the Prinzing '364 GUI application itself can be modified to be a Web-based application or browser.

Third Issue

In the Response to Arguments section of the Examiner's Answer, the Examiner asserts "Prinzing '364 must use a browser to locate and display the HTML document." Appellant respectfully disagrees.

Initially, Appellant notes that the Examiner does not provide support for her specific assertion. Moreover, Appellant submits that the Examiner's statement is not supported by Prinzing '364. That is, Prinzing '364 does not use a browser to locate or display an HTML document. Rather, Prinzing '364 displays an HTML document in the GUI application.

Specifically, Prinzing '364 discloses the operation of the GUI application including the displaying in the GUI application, at column 11, lines 13 – 54, stating that (emphasis added):

FIG. 7 is a flow chart of the operations used by a GUI application to generate text components consistent with one implementation of the present invention. Initially, the GUI application requests that a component having editable text is displayed on a GUI with a particular type of user interface style (step 702). For example, the user interface style could be the Windows user interface style, the MacIntosh user interface style, or the Motif user interface style. The GUI application then creates an Editor Pane 516 instance to customize the editor to the type of text and having the selected user interface style (step 704). Editor Pane 516 is a type of text component capable of independently providing customized text editors having a particular user interface.

Editor Pane 516 then delegates implementing editing capabilities to a default Editor Kit 610 (step 708). As previously discussed, Editor Pane 516 tracks text types and corresponding Editor Kit implementations in Text Type Registry 517.

Editor Pane 516 delegates implementation of user interface features to a Text UI object (step 709). Text UI object 604 facilitates generation of views with user interface styles such as the Windows user interface style, the MacIntosh user interface style, and the Motif user interface style.

Editor Pane 516 determines if default Editor Kit 610 is capable of supporting the particular type of text (step 711). If the default Editor Kit does not support the text type, a new editor kit corresponding to the text type is instantiated (step 712). In practice, Text Type Registry 517 may include support for a number of text types including HTML, RTF, and plain text. Text Type registry 517 can be dynamically updated immediately before the text component is generated or can be updated statically by installing an Editor Kit before an application is executed. If Text Type registry 517 is dynamically updated, an application may include a new editor kit or provide the location of such an editor kit upon execution. For example, a new editor kit can be downloaded from a server on the Internet.

The instance of Editor kit 610 is used to customize the editor within Editor Pane 516 (step 718). Editor pane 516 then combines the selected user interface style with the customized editor to display a customized text component in the GUI application (step 720).

Thus, Appellant submits that Prinzing '364 explicitly discloses displaying the customized text component in the GUI application. As such, Appellant submits that the Examiner's assertion

that Prinzing '364 must use a browser to locate and display the HTML document is unsupportable.

Fourth Issue

In the Response to Arguments section of the Examiner's Answer, in regard to claims 21 – 23, 32 and 46, the Examiner states that the "response by Appellant is insufficient to satisfy the requirement of specific argument to have the claims considered for patentability; in accordance with 37 C.F.R. § 1.111 Appellant must distinctly and specifically point out 'how the language of the claims patentably distinguishes them from the references.'" Appellant disagrees.

Claims 21 – 23, 32 and 46 are dependent claims rejected under 35 U.S.C. § 103(a) as unpatentable over Prinzing '206 in view of Prinzing '364 and further in view of U.S. Patent No. 6,085,206 issued to Domini et al. ("Domini"). That is, these claims were separately rejected from their respective independent claims. Thus, Appellant separately addresses these claims in the Appeal Brief. In doing so, Appellant submits that these claims are dependent claims, depending from respective distinguishable independent claims. As such, Appellant submits, these claims should be in condition for allowance based upon their dependencies.

Additionally, while not asserted by the Examiner, Appellant submits that Domini does not cure the deficiencies of Prinzing '206 in view of Prinzing '364 with regard to the independent claims. That is, even though the Examiner did not assert that Domini teaches or suggests the features of the independent claims deficient in Prinzing '206 in view of Prinzing '364, Appellant submits that Domini does not teach or suggest the features of the independent claims deficient in Prinzing '206 in view of Prinzing '364.

Accordingly, Appellant respectfully submits that the response in the Appeal Brief is sufficient to satisfy the requirement of specific argument to have the claims considered for patentability.

CONCLUSION

Accordingly, in view of the above-noted arguments (as well as those already of record), Appellant submits that claims 1 – 15, 19 – 35 and 43 – 50 are patentably distinct from the prior art of record and are in condition for allowance. Accordingly, Appellant respectfully requests that the Board reverse the Examiner's rejection of claims 1 – 15, 19 – 35 and 43 – 50, and remand the application to the Examiner for withdrawal of the above-noted rejections.

Respectfully submitted,
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